

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. **(Currently Amended)** A gene, which codes for the following protein (a) or (b):
 - (a) a protein consisting of an amino acid sequence of any one of SEQ ID NOS: 2, 4, 6, and 8;
 - (b) a protein consisting of an amino acid sequence derived from the amino acid sequence of any one of SEQ ID NOS: 2, 4, 6, and 8 by substitution, deletion or addition of at least one or more amino acids, has resistance to a ~~pyrimidinyl carboxy herbicide~~, ~~bispyribac sodium herbicide~~, ~~a pyrithiobac sodium herbicide~~, and ~~a pyriminobac herbicide~~, and has acetolactate synthase activity.
2. **(Original)** An acetolactate synthase protein, which is coded by the gene of claim 1.
3. **(Original)** A recombinant vector, which has the gene of claim 1.
4. **(Original)** A transformant, which has the recombinant vector of claim 3.
5. **(Currently Amended)** A plant, which has the gene of claim 1 and has resistance to a ~~pyrimidinyl carboxy herbicide~~, ~~bispyribac sodium herbicide~~, ~~a pyrithiobac sodium herbicide~~, and ~~a pyriminobac herbicide~~.

6. **(Currently Amended)** A method for cultivating the plant of claim 5, which comprises cultivating the plant in the presence of a ~~pyrimidinyl carboxy herbicide~~, bispyribac sodium herbicide, a pyrithiobac sodium herbicide, and a pyriminobac herbicide.

7. **(Original)** A method for selecting a transformant cell having the gene of claim 1, which uses the gene as a selection marker.

8. **(Currently Amended)** A method for cultivating a plant having a gene coding for acetolactate synthase, which comprises cultivating the plant in the presence of a bispyribac sodium herbicide, a pyrithiobac sodium herbicide and/or a pyriminobac herbicide, wherein the acetolactate synthase has an amino acid sequence in which a serine corresponding to serine at position 627 of a wild-type rice acetolactate synthase is replaced by isoleucine.

9. **(Previously Presented)** A method for selecting a transformant cell having a gene coding for acetolactate synthase as a selection maker, which comprises cultivating the cell in the presence of a pyrithiobac sodium herbicide and/or a pyriminobac herbicide, wherein the acetolactate synthase has an amino acid sequence in which a serine corresponding to serine at position 627 of a wild-type rice acetolactate synthase is replaced by isoleucine.

10. (New) The method for selecting a transformant cell according to claim 9, wherein the acetolactate synthase has an amino acid sequence wherein a proline corresponding to proline at position 171 of the wild-type rice acetolactate synthase is replaced by histidine.

11. (New) The method for selecting a transformant cell according to claim 9, wherein the acetolactate synthase has an amino acid sequence wherein a proline corresponding to tryptophan at position 548 of the wild-type rice acetolactate synthase is replaced by leucine.

12. (New) The method for selecting a transformant cell according to claim 10, wherein the acetolactate synthase has an amino acid sequence wherein a proline corresponding to tryptophan at position 548 of the wild-type rice acetolactate synthase is replaced by leucine.

13. (New) The method for selecting a transformant cell according to claim 9, wherein the cell is derived from a plant.